



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Mungai (Criminal Case E033 of 2023)
[2025] KEHC 915 (KLR) (4 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 915 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE E033 OF 2023
JM NANG'EA, J
FEBRUARY 4, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

HARRISON MWATURI MUNGAI ACCUSED

RULING

1. The accused is charged with the offence of Murder Contrary to Section 203 as read with Section 204 of the Penal Code. It is alleged that on 14th July 2023 at Njoro Town, Njoro Sub-County, within Nakuru County, he murdered Patrick Maina Ndirangu. He denied the offence.
2. The prosecution called seven (7) witnesses in proof of the charge. The defence Counsel chose not to make submissions on “no case to answer” at the close of the prosecution evidence.
3. Having perused the prosecution evidence viz a viz the charge, I find that a prima facie case has been made out warranting the accused to be put on his defence. It is judicial practice not to give reasons for such decision so that an impression is not created that the court has made up its mind before considering any defence that may be offered.
4. The accused is accordingly put on his defence.

RULING DELIVERED THIS 4TH DAY OF FEBRUARY, 2025 IN THE PRESENCE OF:

J. M. NANG'EA, JUDGE.

Ms Sang for the DPP

Defence Counsel, Ms Morande

Accused, Present

Court Assistant (Jeniffer)

